

Through collaboration with families and their communities, we advocate for the safety, permanency and well-being of each child we service in a manner that honors family and culture.

Franklin County
Children Services

855 West Mound Street
Columbus, Ohio 43223-2208
614.275.2571
614.275.2755 (fax)
www.childrenservices.franklincountyohio.gov/



“Protecting Children by Strengthening Families”

Published by Franklin County Children Services
Office of Client Rights
CS-Consumer Rights Book-English (Rev. 4-2017)



**Consumer Rights
&
Information**

Caseworker name and telephone:

Supervisor:

Associate Director:

Director:

Office Locations:

Intake	.....	4071 E. Main St.	.....	614.229.7100
East	.....	4071 E. Main St.	.....	614.421.5500
West	.....	1919 Frank Rd.	.....	614.278.5800
Adoptions Dept.	.....	855 W. Mound St.	.....	614.341.6000
Training Dept.	.....	855 W. Mound St.	.....	614.278.5906
Human Resources	.....	855 W. Mound St.	.....	614.351.2000
Client Rights	.....	855 W. Mound St.	.....	614.275.2621

Administrative Offices:
855 West Mound St.
Columbus, OH 43223
614.275.2571



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Notes

About this booklet

It is our policy to give you this brochure and discuss it at your first in-person interview with one of our caseworkers. If you have questions, please call your caseworker or supervisor listed on the front cover. If your case is opened and sent to one of our region offices, the new caseworker will assure that you have a copy with the new supervisor and caseworker's names.

About your right to effectively communicate

All persons who are unable to communicate using English, whether orally or in writing, will have equal access to services provided by Franklin County Children Services. Effective communication will be provided through Children Services staff whenever possible. When that is not possible, a certified interpreter will be provided at no cost.

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Revised April 1, 2017

Notes

What is Franklin County Children Services?

Our agency is mandated by law to investigate child abuse, neglect and dependency referrals. We will only get involved to assure the safety of children or to help the family during a crisis. Our initial goal is always to keep children safely in the home and provide those services that may prevent the case from opening. If a case is opened we respond in three ways. If a child can be safely maintained at home, we will work with the family on a mutually agreed upon plan to solve the problems that led them to us. Sometimes it is necessary to remove children temporarily from their home. When it has proven impossible to safely reunify a child with the family the agency will seek permanent custody and place them for adoption.

Throughout the life of a case, families are encouraged to provide input and be a part of the team decision-making process. Families are best served when they can help identify the issues that are challenging them and are included in developing the service plan to help them.

Every child deserves a stable, permanent home. This permanence may take many forms—reunification with birth family, kinship care, adoption, foster family contact and /or community connections can all offer a lifetime of support for youth.



Children Services wants you to call if:

- ☎ You think protective services could be useful to yourself or your family.
- ☎ You received protective services once but need them again.
- ☎ You think any child or family is in need of the protective services.

-A caller has the right to remain anonymous-

Children Services follows these guiding principles:

- ◆ We are child welfare professionals;
- ◆ We honor families;
- ◆ We value every child; and
- ◆ We value partnerships

What can I expect from Children Services?

Our caseworkers work with families to solve their problems. The law requires Children Services to investigate allegations concerning children who may be abused, neglected or dependent and in need of protection.

These calls are usually about:

- ◆ lack of supervision, food, shelter, utilities, medical care of a child
- ◆ physical abuse of a child
- ◆ sexual abuse of a child
- ◆ a child who fails to thrive, grow and develop
- ◆ educational neglect
- ◆ a child showing severe behavior problems
- ◆ a child who has run away from home
- ◆ drug or alcohol abuse in the family
- ◆ safety or protection of a child
- ◆ child death

The Children Services caseworker will tell you what areas of concern were reported and find out if there is a problem in any of these areas. This will be done through talking with you, your children, school, professional, and others involved, if necessary. Under Ohio law, the name of the person who made the referral is **confidential** and cannot be disclosed.

If the facts from the investigation show that there is no protective need, we will tell you, and the investigation will close.

If the facts show that there is a protective need, Children Services will work with you. This work may be done through agreement, or orders from the juvenile court.

A case plan will be created with your assistance and necessary services will be listed in a case plan. This plan explains what the parent, child and/or agency will do to make necessary changes. As your needs or the needs of your children change, the plan may be modified. You will be asked to sign this plan and any modifications made to it. You will receive a copy of the case plan.

Meetings about your case are held at a minimum twice a year by Children Services (and by the Juvenile Court when involved) to update the plan and review what progress has been made. If your family disagrees with services or a decision, steps should be taken to address those concerns (see page 8).

Contacts

Name: _____

Address: _____

City, State, Zip: _____

Phone/E-mail: _____

Name: _____

Address: _____

City, State, Zip: _____

Phone/E-mail: _____

Name: _____

Address: _____

City, State, Zip: _____

Phone/E-mail: _____

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Address: _____

City, State, Zip: _____

Phone/E-mail: _____

Name: _____

Address: _____

City, State, Zip: _____

Phone/E-mail: _____

A mandated reporter who makes a report of child abuse or neglect. Upon request, the reporter shall be informed of all of the following:

- ◆ Whether the PCSA has initiated an investigation.
- ◆ Whether the PCSA is continuing to investigate.
- ◆ Whether the PCSA is otherwise involved with the child who is the subject of the report.
- ◆ The general status of the health and safety of the child who is the subject of the report.
- ◆ Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.



The Indian Child Welfare Act (ICWA) is a federal law that seeks to keep American Indian children with American Indian families. Congress passed ICWA in 1978 in response to the high number of Indian children being removed from their homes by both public and private agencies. The intent of Congress under ICWA was to "protect the best interests of Indian children and to promote the stability and security of Indian tribes and families" (25 U.S.C. § 1902). Caseworkers must make several considerations when handling an ICWA case, including:

- ◆ providing "active efforts" to the family;
- ◆ identifying a placement that fits under the ICWA preference provisions;
- ◆ notifying the child's tribe and the child's parents of the child custody proceeding; and
- ◆ working actively to involve the child's tribe and the child's parents in the proceedings.

Your caseworker should be able to explain your rights under ICWA and any other case actions in a manner that is easy for you to understand.

If you feel that ICWA is not being applied correctly in your child's case, you should speak to the caseworker's supervisor. The office of Client Rights can also assist in assuring ICWA is appropriately applied.

What services can be of help to my family?

Children Services offers services including:

- ◆ investigation of child abuse and neglect
- ◆ protective services and case management
- ◆ services to adolescents
- ◆ counseling services
- ◆ home-based services
- ◆ home management services
- ◆ volunteer services
- ◆ medical services for children
- ◆ emancipation and independent living services for youth 16 years and older
- ◆ adoption services for children of all ages
- ◆ family preservation services

Children Services makes referrals to community agencies for other supportive services:

- ◆ mental health services
- ◆ parenting education
- ◆ psychiatric and psychological assessment/consultation
- ◆ drug and alcohol assessment and treatment
- ◆ assistance with day care
- ◆ services to help the healthy development of children
- ◆ material assistance
- ◆ housing
- ◆ services for troubled teens

If FCCS is working with you and your family when disaster strikes...

If the disaster **affects you** and your family and requires the immediate evacuation of your family from your home or location, please notify FCCS immediately at 614-229-7100. Please be prepared to share as much information as possible to help us identify who you are and where you will be living.

If the disaster **affects the entire community**, please stay tuned to local media for communications from FCCS.

If the disaster **affects visitation** with your children or if your visitation is court ordered, please let us know and we will work with you to keep your visits from being interrupted during this difficult time.

In the event of inclement weather, the decision to cancel visitation and transportation will coincide with the Snow Emergency Level System. Visitation shall be cancelled when there is a Level 2 or 3 Snow Emergency applicable to:

- ◆ Franklin County
- ◆ The county the child resides
- ◆ The county where the visit is to occur
- ◆ Any county a transporter is required to travel through

In this instance, please contact Visitation Support at 614-229-7001 during this weather emergency. Reasonable efforts will be made to make up any cancelled visits when the weather allows.



In addition to the Children Services complaint and grievance process, the Ohio Department of Jobs and Family Services is responsible for assuring that all county children service agencies comply with state rules. You can contact them by calling The Ohio Department of Job and Family Services, toll free at 866-886-3537 Option 4.

Children Services claims reimbursement for service to children under federal and state programs and is required under law to provide services in compliance with Federal and State mandates.

If you believe that you have been discriminated against on the grounds of your race, color, national origin, physical or mental disability, gender, or have been otherwise subjected to discrimination under any program, service or benefit authorized or provided by Franklin County Children Services you may contact any one of the following services:

- ◆ Franklin County Children Services, Civil Rights Coordinator (CRC) is a specialist in handling complaints regarding discrimination. The CRC can assist and offer direction in concerns involving civil rights. The CRC is located at 855 West Mound St, Columbus, OH, 43223, and can be reached at 614.275.2621;
- ◆ Ohio Legal Rights Service, 8 E. Long St, 5th Floor, Columbus, Ohio 43215-2999, State-wide toll-free (voice): 800-282-9181, State-wide toll-free (T.T.Y.): 800.858.3542, Phone: 614.466.7264; T.T.Y.: 614.728.2553, Fax: 614.644.1888; and
- ◆ Office for Civil Rights, U.S. Dept. of Health and Human Services, 200 Independence Ave, S.W., Rm. 509F, HHH Bldg., Washington, D.C. 20201, toll-free TDD line: 800.537.7697

If you feel you were entitled to services that were not delivered you may also file a complaint with any of several organizations including, but not limited to:

State of Ohio Counselor, Social Worker and Marriage & Family Therapists Board
77 South High Street, 24th Floor,
Columbus, Ohio 43215
614 .466.0912

State Board of Ohio Psychology,
77 South High Street, Suite 1830
Columbus, Ohio 43215
614-466-8808

Alcohol, Drug Addiction and Mental Health (ADAMH) Services
447 E. Broad St., Columbus, OH 43215
614.224.1057

State of Ohio Nursing Board
17 S. High St., Suite 400,
Columbus, Ohio 43215
614.466.3947

A Client Rights Officer can assist in directing your concern.

What happens if my children must leave home?

All children deserve a permanent home. In an effort to assure this, they may be placed temporarily in the most home-like setting available. That setting may include:

- ◆ a relative's home - kinship home.
- ◆ a foster home
- ◆ a group home
- ◆ a residential facility as close to home as possible
- ◆ Adoptive home

Your family is expected to work as a partner with Children Services to help strengthen and reunify. This is done to provide children with permanency.

Families are expected to:

- ◆ help write the case plan that includes services to meet your family's needs;
- ◆ provide a safe, clean, and loving home for your child or children;
- ◆ meet with your caseworker and other staff to review progress;
- ◆ attend and participate in programs or services listed in the case plan; and
- ◆ attend court hearings and follow court orders set by the court.

In all instances when children come into care, Children Services notifies **Franklin County Department of Jobs and Family Services and Franklin County Child Support Enforcement Agency.**

Ask your caseworker for a copy of the pamphlet **“Away From Home, Back to Home.”** It has information on reunification process and commonly asked questions. Each child age 14 years and older will receive the **“Foster Youth Rights Handbook”** to ensure the child is aware of his/her rights with respect to education, health, visitation and court participation while in substitute care.

What are my rights?

Children Services is committed to maintaining an environment free from discrimination and harassment and will tolerate neither when directed against a person for his or her race, religion, creed, color, national origin, sex, marital status, age, physical or mental disability, sexual orientation, military status, political affiliation, organizational membership, or legal activity.

Ohio and federal law provides specific safeguards for your rights while you are receiving services from Franklin County Children Services. Additional questions regarding your rights can be discussed with staff or anyone in the office of Client Rights.

The Children Services office of Client Rights has established procedures for the review of client grievances and administrative appeals. The office of Client Rights informs clients of their rights under agency policy and Ohio rules. The office of Client Rights is responsible for assuring agency compliance with client rights and grievance/appeal procedure rules. Those entitled to access the grievance/appeal process include, but are not limited to, children, parents, related and unrelated caretakers, individuals accused of abuse or neglect of a child, and professionals with a significant stake in the services provided by staff. The office of Client Rights:

- ◆ Acts as a pre-grievance facilitator;
- ◆ Acts as a hearing officer for contested investigative findings;
- ◆ Acts as a civil rights coordinator;
- ◆ Acts as a review agent
- ◆ Submits reports to the board;
- ◆ Reports to the executive director for administrative and budget concerns. Discussions regarding individual cases with the executive director are reported to the board chair in writing;
- ◆ Cannot be subjected to disciplinary action without approval of the board chair; and
- ◆ May request placement on the board's agenda at any time to report on any individual case situation or other information related to the work of the office of Client Rights. Only the board chair can deny the request.

The office of Client Rights is located in the administrative offices of Franklin County Children Services.

Mail:

855 W. Mound Street, Columbus, Ohio 43223

Email: cro@fcss.us

Phone: 614.275.2621

Fax: 614.275.2755

Filing an Appeal

An **appeal** can be filed by an individual who the agency has found to be a substantiated or indicated perpetrator of abuse or neglect of a child after an investigation. Only the perpetrator (appellant) may file an appeal of the report disposition. The appellant must file an appeal no later than **thirty-calendar days** following mailing of the dispositional finding. No appeal can proceed until all cases in a criminal or juvenile court related to the investigative finding have been finalized. Once all adjudications related to the finding have been finalized, the appellant must notify the Office no later than **thirty-calendar days** following the resolution of related judicial matters.

1. Once the office of Client Rights receives and approves the request for dispositional appeal, it will be sent to the director of the Intake and Investigation department. The appellant will be contacted to set up an appointment to present their case to the Intake administrator. The appellant must be available to meet within **thirty-calendar days** of filing an appeal. The appellant may bring an attorney and witnesses who can offer relevant information. A written response letter will be sent to the appellant by the Intake administrator within **thirty-calendar days**.

2. If the administrative response does not resolve the appeal, the appellant may contact the office of Client Rights no later than **thirty-calendar days** of receipt of that response to request a dispositional appeal hearing. The appeal will be sent to the administrative hearing officer. The hearing officer is not directly involved in the investigation or approval of the case disposition. Once requested, the appellant must be available to meet within **thirty-calendar days**. The appellant must inform the Office in advance of any special accommodations needed. The appellant may bring an attorney and witnesses who can offer relevant testimony. The hearing will be scheduled within **thirty-calendar days** after receipt by the Office. Appeal hearings are scheduled for one hour and will be audio recorded. All parties who will be testifying will be sworn in. The hearing officer will submit a written report within **thirty-calendar days** of the appeal hearing. The decision of the hearing officer is the final remedy within Franklin County Children Services.

NOTE: Hearings are not judicial proceedings and as such, the rules of evidence do not apply. The Children Services record of the investigation remains confidential by law and will not be released or shared with the appellant before, during or after the hearing.

How are my rights further protected?

Filing a Grievance

Parents, custodians, legal guardians, foster caregivers, kinship caregivers, applicants or providers of approved adult-supervised living arrangements, and children who have interacted with the agency for any purpose related to the agency's function shall have the right to voice concern regarding that interaction. Resolving a complaint or concern can take different forms: working with the service team, associate director; or through pre-grievance. If your concerns have not been resolved using these tools, a grievance can be filed.

A **grievance** is a formal complaint concerning services or lack of them. Filing a grievance must be timely. The grievance can be filed no later than **thirty-calendar days** after the event, or learning of the event.

1. Once the office of Client Rights receives and approves the request for grievance, it will be sent to the director of the appropriate department. A representative from the office of Client Rights may attend any of the following meetings upon the request of the grievant or the department administrator. You must be able to meet with or discuss your grievance with the director within **thirty-calendar days** of having filed the grievance. The director will contact you to set up a time for a meeting. The director's written response should be sent to you within **thirty-calendar days** after having received your grievance.

2. If the director's response is unsatisfactory, contact the office of Client Rights within **thirty-calendar days** of receiving that response. Your grievance will then be directed to the Deputy Director or designee. Once the grievance has been filed at this level, you must be able to meet with or discuss it with the Deputy Director or designee within **thirty-calendar days**. The Deputy Director or designee will contact you to set up a time for a meeting. The Deputy Director's or designee's written response should be sent to you within **thirty-calendar days** after having received your grievance.

3. If the response of the Deputy Director or designee does not resolve your grievance, contact the office of Client Rights within **thirty-calendar days** of that response. Your grievance will then be directed to the Executive Director of Franklin County Children Services. Once the grievance has been filed, you must be able to meet with or discuss it with the Executive Director within **thirty-calendar days**. The Executive Director will contact you to set up a time for a meeting. The Executive Director's written response should be sent to you **within thirty-calendar days** after having received your grievance. The decision of the Executive Director is a final remedy within Franklin County Children Services.

The Franklin County Children Services Board has determined adults and children who are clients of the Agency shall have the right to:

1. Interpreter services, at no cost to the client, whenever requested to assist the client in all interactions with Children Services staff, including all meetings, case planning and interactions with Agency staff;
2. Be treated in a culturally sensitive way with consideration and respect for personal dignity, autonomy, and privacy;
3. Service in the least restrictive, most humane setting feasible. This is defined by Ohio law and rule or in the case/service plan;
4. Review their case record as long as the law does not prohibit access. Requests for information may be denied if the information requested poses a serious risk of harm to anyone. All requests for access to case records must be made in writing. Persons requesting information must present photo identification prior to receiving access to their record. If there is information that is prohibited by law or would pose a serious risk of harm to anyone in the record, it will be removed before giving you access.

If your case is open the region director is responsible for responding to a request for access. Clients may review their record at an FCCS office in the presence of agency staff.

If your case is closed please contact the Legal department at 614-275-2584. The information made available to persons requesting information on closed cases will be sent directly to the requestor.

A decision to deny client access to records will be documented in writing and offered to you in a letter.

5. Insert any statement into their the case record and to review any statements provided by Agency staff in response to the client's statement;
6. Have an opportunity to participate in the creation of the case plan and be provided a copy of the case plan and case plan amendments, and of proposed or current services, treatment or therapies; mental and physical health, and social or economic needs, and that specifies how available, appropriate, and adequate services are to be provided either directly or by referral;
7. Consent to or refuse any service, treatment, or therapy upon full explanation of the expected consequences of such consent or refusal unless ordered to participate in services by a direct court order or a case/service plan journalized by a court of competent jurisdiction. A parent or legal guardian may consent to or refuse any service, treatment, or therapy on behalf of a minor client unless ordered to participate in services by a direct court order or a case/service plan journalized by a court of competent jurisdiction;

8. A current, written, individual case/service plan that addresses child safety,
9. Active and informed participation in the establishment, periodic review, and reassessment of the case/service plan;
10. Freedom from unnecessary or excessive medication;
11. Freedom from unnecessary restraint or seclusion;
12. Be informed of and to refuse an unusual or hazardous treatment procedure;
13. Participate in any appropriate and available Agency service, regardless of refusal of one or more other services, treatments, or therapies or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the client's participation in other services. This necessity shall be explained to the client and written in the client's case/service plan;
14. Have the opportunity to consult with independent treatment specialists or legal counsel at one's own expense;
15. Confidentiality within the limitations and requirements of Ohio and Federal laws or rules, court orders, or a journalized case/service plan. Any person having the legal capacity to consent to the release of information regarding an Agency client may do so consistent with Ohio and Federal laws or rules;
16. Be informed in advance of the reason or reasons for discontinuance of service and to be involved in planning;
17. Receive an explanation of the reasons for denial of service;
18. Not to be discriminated against in the provision of service on the basis of person's culture, race, sex, age, religion, color, sexual orientation, physical or mental disability, national origin, level of income, or political affiliation;
19. Know the cost of services;
20. Be fully informed of all rights;
21. Exercise any and all rights without reprisal in any form, including access to services, which must not be compromised;
22. File a grievance; and
23. Have oral and written instructions for filing a grievance.
24. Help in obtaining a credit report, if you are 16 years or older and in the custody of the agency

In regards to children in our care

Children Services' staff, foster parents, and adoptive parents, with children placed prior to adoption, are trained on how to respond to out-of-control behaviors. Staff and caretakers shall not use any restrictive behavior management interventions including: physical, mechanical or chemical restraints, isolation or locked seclusion.

Children Services' staff, foster parents, and adoptive parents with children placed prior to adoption shall not:

1. Censor or open any outgoing and incoming mail of children in the Agency's custody unless:
 - a. It is suspected to contain unauthorized, dangerous, or illegal material or substances, in which case mail may be opened in the presence of designated personnel,
 - b. Receiving or sending unopened mail is contraindicated in the service plan excluding e-mail, or
 - c. Receiving or sending mail to specific persons is a serious threat to the safety of the child or foster parents or contrary to the best interests of the child and the persons and reasons for this censorship of mail are documented in the case record.
2. Restrict the right of children in the Agency's custody to have private telephone conversations unless the restriction is:
 - a. Based on contraindications in the service plan related to the safety of the child, foster parents or staff, or is in the best interest of the child, and is
 - b. Approved in advance and reviewed monthly by a Region Director or Associate Director or an appropriate designee,
 - c. Reviewed weekly by the Supervisor of the Caseworker to whom the child is assigned, and
 - d. The approval and reviews are documented in the case record,
 - e. Or is pursuant to a specific court order.

The office of Client Rights can assist in filing a grievance if you are dissatisfied with services. You can file a grievance **no later than thirty-calendar days after the event, or learning of the event.** To address a concern contact the office of Client Rights (see page 8).

The office of Client Rights can also assist in filing an administrative appeal of an investigative finding. An appeal must be filed within **thirty-calendar days after learning of the investigative finding.** To file an administrative appeal, contact the office of Client Rights (see page 8).

For those cases being served by one of the Managed Care agencies, Permanent Family Solutions Network (PFSN) or National Youth Advocate Program (NYAP), agencies that provide contracted protective services directly to families and children, they have their own protocol for addressing grievances and concerns. You are encouraged to resolve your concern with the caseworker or supervisor. If you are unable to do so, please contact the Client Rights Officer for the agency that is serving your case.